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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

EMANUEL THOMAS NEWMAN, :
Plaintiff :
 :
v. : Civil No. 1:CV-01-0677
 : (Rambo, J.)
RONALD L. JURY, Lieutenant, :
SIS, et al., :
Defendants :

MOTION FOR ENLARGEMENT OF TIME

Defendants ask the Court for a forty-five day enlargement of the respective deadlines for completing discovery and filing dispositive motions. Defendants state the following in support thereof:

1. Plaintiff is Emanuel Thomas Newman, an inmate formerly incarcerated at the Allenwood United States Penitentiary in White Deer, Pennsylvania ("USP Allenwood").

2. On April 18, 2001, plaintiff filed his Bivens complaint against three Bureau of Prisons employees claiming a deliberate indifference to his safety and welfare. Specifically, plaintiff alleges that defendants failed to protect him from an assault by another inmate.

3. An answer to the complaint was filed on July 16, 2001.

4. The parties have been engaged in discovery since October 2001.

5. On January 2, 2002, the Court issued an Order providing the parties with thirty days for discovery (i.e., February 1, 2002) and sixty days for the filing of dispositive motions (i.e., March 4, 2002). The undersigned counsel, however, did not become aware of the Court's Order until just this week.

6. Specifically, on January 28, 2002, in preparing a brief in opposition to Newman's "Motion to Strike Defendant's Objections and Compel Discovery," the United States Attorney's Office observed a reference to the Court's January 2, 2002 Order in Newman's pleading. Upon seeing that reference, defense counsel's office obtained a copy of the civil docket of this case -- and saw that a scheduling Order had been issued. By the time the existence of the scheduling order was discovered, defense counsel had only four days in which to complete discovery.

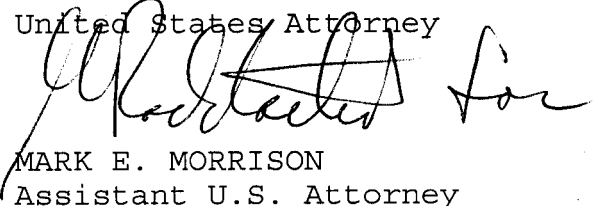
7. Defendants therefore request an enlargement of the discovery and dispositive motions filing deadlines. A forty-five day enlargement of time is requested in order to allow sufficient time for preparation and the mailing of the discovery requests to plaintiff and for the mailing of plaintiff's responses to defense counsel.

WHEREFORE, on behalf of defendants, the United States Attorney's Office requests an enlargement of the discovery deadline until March 18, 2002, and an enlargement of the dispositive motions deadline until April 18, 2002. Counsel

certifies that she has not sought the concurrence of plaintiff because plaintiff is a prisoner proceeding pro se. M.D. Pa. Local Rule 7.1.

Respectfully submitted,

MARTIN C. CARLSON
United States Attorney



MARK E. MORRISON
Assistant U.S. Attorney
MICHELE E. LINCALIS
Paralegal Specialist
316 Federal Building
240 West Third Street
Williamsport, PA 17703

Date: February 1, 2002

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

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Plaintiff :
 :
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CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.

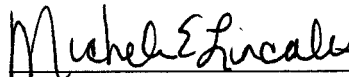
That on February 1, 2002, she served a copy of the attached

MOTION FOR ENLARGEMENT OF TIME

by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Williamsport, Pennsylvania.

Addressee:

Emanuel Thomas Newman
Reg. No. 13418-039
FCI Pekin
P.O. Box 5000
Pekin, IL 61555-5000


MICHELE E. LINCALIS
Paralegal Specialist

UNITED STATES DISTRICT COURT
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SIS, et al.,	:	
Defendants	:	

O R D E R

NOW, this ____ day of _____, 2002, upon consideration of defendants' motion for enlargement of time, **IT IS HEREBY ORDERED** that the motion is granted. The deadline for discovery shall be enlarged to March 18, 2002, and the deadline for filing dispositive motions shall be enlarged to April 18, 2002.

SYLVIA H. RAMBO, Judge
United States District Court